

<p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	<p>Policy Number</p> <p style="text-align: center;">28-01-02</p> <p>Date Filed</p> <p style="text-align: center;">January 12, 2005</p>	<p>Total Pages</p> <p style="text-align: center;">5</p> <p>Effective Date</p> <p style="text-align: center;">May 26, 2005</p>
<p>Authority/References</p> <p>KRS 196.035, 196.075, 532.050(1) &amp; (2) P&amp;P ACA 3-3212, 3-3215, 3-3218, 3-3219, 3-3224, 3-3225, 3-3227</p>	<p>Subject</p> <p style="text-align: center;"><b>PROBATION AND PAROLE INVESTIGATION DOCUMENTS (ADMINISTRATIVE RESPONSIBILITIES)</b></p>	

## I. DEFINITIONS

As used in this document, the following definitions apply:

“Sentencing alternatives” means the options available to the Court to assign sentences. These options may include:

1. Incarceration, full or part-time
2. Probation or Shock Probation
3. Community Programming, including community service work.
4. Restitution for damages inflicted by the offender.
5. Fines
6. Supervision fees
7. Other legally established punishments

## II. POLICY and PROCEDURE

A. The Administrator of Field Services shall review on an ongoing basis a number of completed presentence investigation documents from all Probation and Parole Districts.

B. Assistant Director's Review

The Assistant Director of Probation and Parole or a specific designee shall review a sampling of each Probation and Parole District's presentence investigation documents on an ongoing basis. These documents shall be reviewed for investigation content, report preparation, and the use of sentencing alternatives presented to the court.

Policy Number	Effective Date	Page
28-01-02	May 26, 2005	2

This shall enable the Assistant Director to keep advised of the handling of investigations, the preparation of documents, and sentencing alternatives provided to the courts.

C. District Supervisor's Presentence Investigation Responsibilities

The Division of Probation and Parole will ensure that completed presentence investigations will be delivered to the sentencing court at least two (2) days prior to final sentencing.

1. Each District Supervisor shall establish presentence investigation completion deadlines which officers shall be expected to adhere to. These deadlines shall be calculated from the date of assignment. If the offender is incarcerated, the investigation deadline shall be three (3) weeks from the date of assignment. If the offender is on bond, the investigation deadline shall be four (4) weeks from the date of assignment. Legitimate factors that may cause modification of investigation deadlines are:
  - a. The nature of the offense
  - b. Complexity of the offender's situation
  - c. Assigned workload
  - d. Availability of background information
  - e. Judicial scheduling of final sentencing
2. Each District Supervisor or designee shall maintain a manual or automated presentence investigation document ledger. This ledger shall reflect:
  - a. The case name
  - b. The type of case
  - c. The ordering court or judge
  - d. The officer assigned the investigation
  - e. The date assigned
  - f. The date the document is due to be completed
  - g. The court date of final sentencing
  - h. The actual date the investigation is delivered to court

Policy Number	Effective Date	Page
28-01-02	May 26, 2005	3

This ledger shall: (a) enable the District Supervisor to monitor the completion of assigned investigations; and (b) indicate the pending investigative workload of each officer within a district so that informed decisions of staffing and new case assignment may be made.

The District Supervisor shall establish a reporting procedure for inclusion of all pending or completed investigative work in the district-wide ledger. This reporting procedure shall allow for the inclusion of an assigned investigation document in the supervisor's district ledger no later than seven (7) working days after the date the document assignment is received by the field office.

3. The presentence investigation shall be reviewed and approved by the District Supervisor or designee prior to delivery to the court. The document shall be reviewed on an ongoing basis to ensure that:

- a. The document is clear and concise information regarding the offense and the offender
- b. All recommendations shall be reasonable and supported by the information provided
- c. The document content and format are in compliance with Corrections Policies and Procedures

C. District Supervisor's Postsentence, Supplemental or Partial Investigation Document Responsibilities:

1. Each District Supervisor or designee shall establish postsentence, supplemental or partial investigation completion deadlines for Probation and Parole officers. These deadlines shall be calculated from the date of assignment.
2. Each District Supervisor shall include postsentence, supplemental or partial investigation documents in the manual or automated ledger. This ledger shall reflect:
  - (a) The case name
  - (b) Type of case
  - (c) The officer assigned the case
- d. The requesting authority
- e. The date assigned

Policy Number	Effective Date	Page
28-01-02	May 26, 2005	4

f. The date the document is due to be completed

g. The date the document is submitted or mailed

In addition to monitoring pending work, this ledger shall allow knowledgeable decisions concerning staffing and new case assignments.

The District Supervisor shall establish a reporting procedure for inclusion of all pending or completed investigative work in the district-wide ledger. This reporting procedure shall allow for the inclusion of assigned investigation documents in the supervisor's district ledger no later than seven (7) working days after the date the document assignment was received by the field office.

3. An investigation document shall not be mailed to its proper destination without it being reviewed and approved by the District Supervisor or a specific designee. These written investigation documents shall be reviewed to ensure that they are relevant, logical and that the contents and format are in compliance with Corrections Policies and Procedures. The only exception to this procedure is when geographic separation and pressing correctional matters prohibit review.
4. A written request for investigative information shall be checked and approved by the District Supervisor or specific designee. The only exception to this procedure is when geographic separation and pressing correctional matters prohibit review. These requests shall be reviewed to ensure that:
  - a. The request is logical and relevant
  - b. The proper format is used
  - c. The necessary documents are enclosed (like release of information)
  - d. The proper authority or party is being contacted for information.
  - e. If requesting information from another Probation and Parole District, the appropriate District Supervisor is forwarded a copy of the request for entry in that district's ledger.

D. Avoidance of Confinement

Probation and Parole district personnel shall encourage the preparation and submission of a presentence investigation document for offenders with at statutory imprisonment term of one (1) year or longer. Consideration of alternatives to incarceration shall be given to all convicted individuals when not specifically prohibited by statute or the safety of the community.

Policy Number	Effective Date	Page
28-01-02	May 26, 2005	5

District Supervisors and their superiors shall explain Corrections position to and attempt to obtain cooperation from the sentencing courts. Prosecutors, defense attorneys and other court personnel shall also be advised of Corrections position at every appropriate opportunity. District Supervisors shall report meetings with court officials within the body of their monthly reports.